

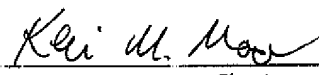
Doc Code: AP PRE REQ

PTO/SB/33 (07-05)

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PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional)	
<p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop AF, Commissioner for Patents P O Box 1450 Alexandria VA 22313-1450" [37 CFR 1.8(a)]</p> <p>on _____</p> <p>Signature _____</p> <p>Typed or printed name _____</p>		Application Number	Filed
		10/787,380	2/26/04
		First Named Inventor	
Grande et al.		Art Unit	Examiner
2841		Abiy Getachew	
<p>Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.</p> <p>This request is being filed with a notice of appeal.</p> <p>The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.</p>			
<p>I am the</p> <p><input type="checkbox"/> applicant/inventor</p> <p><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96)</p> <p><input checked="" type="checkbox"/> attorney or agent of record Registration number <u>36,597</u></p> <p><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34 Registration number if acting under 37 CFR 1.34 _____</p>		<p> Signature</p> <p><u>Kevin M. Mason</u> Typed or printed name</p> <p><u>(203) 255-6560</u> Telephone number</p> <p><u>December 18, 2007</u> Date</p>	
<p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p>			
<p><input type="checkbox"/> *Total of _____ forms are submitted.</p>			

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P O Box 1450, Alexandria, VA 22313-1450

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application

5 Applicant(s): Grande et al.
Case: 2-1
Serial No.: 10/787,380
Filing Date: February 26, 2004
Group: 2841
10 Examiner: Abiy Getachew

Title: Method and Apparatus for Mounting a Modem to a Carrier Assembly

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MEMORANDUM IN SUPPORT OF
PRE-APPEAL BRIEF REQUEST FOR REVIEW

20

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Sir:

30 The present invention and prior art have been summarized in Applicants' prior responses.

STATEMENT OF GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

The present application was filed on February 26, 2004 with claims 1 through 20. Claims 1 through 20 are presently pending in the above-identified patent application. Claims 1-
35 20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Hart (United States Patent Number 5,164,542) in view of Ishikawa (United States Patent Number 4,874,907).

ARGUMENTS

Independent Claims 1, 8 and 14

Independent claims 1, 8, and 14 were rejected under 35 U.S.C. §103(a) as being unpatentable over Hart in view of Ishikawa. Regarding claim 1, the Examiner acknowledges that
5 Hart does not specifically teach one or more solder pads for connecting said modem module to said carrier assembly, but asserts that Ishikawa teaches solder pads used to electrically and mechanically connect components to a circuit board (col. 2, lines 4-9).

Applicants note that, regarding modem 126, Hart teaches that “motherboard 124 includes a modem 126, as well as power management circuitry 128.” (Col. 6, lines 17-19.)

10 Neither Hart nor Ishikawa, however, provide many details regarding a modem. Applicants also note that the conventional method for attaching a modem to a motherboard is by integrating the modem circuitry into the motherboard, *thereby requiring that a certified motherboard be recertified following the integration*. (See, page 1, lines 13-27, of the originally filed specification.) In one aspect of the present invention, a modem module is provided that may be
15 attached to a motherboard and thereby eliminates the need to recertify the motherboard. Hart and Ishikawa, however, do not disclose or suggest connecting a modem module to a carrier assembly, and do not disclose or suggest one or more solder pads for connecting a modem module to a carrier assembly. In fact, the prior art *teaches away* from the present invention by *teaching to integrate a modem into a motherboard without the use of a modem module*.

20 Independent claims 1, 8, and 14 require one or more solder pads for connecting said modem module to said carrier assembly.

Thus, Hart and Ishikawa, alone or in combination, do not disclose or suggest one or more solder pads for connecting said modem module to said carrier assembly, as required by independent claims 1, 8, and 14.

25 Dependent Claims 2-7, 9-13 and 15-20

Dependent claims 2-7, 9-13, and 15-20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Hart in view of Ishikawa.

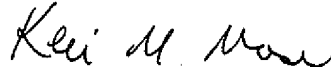
Claims 2-7, 9-13, and 15-20 are dependent on claims 1, 8, and 14, respectively, and are therefore patentably distinguished over Hart and Ishikawa, alone or in combination, because of their dependency from independent claims 1, 8, and 14 for the reasons set forth above, as well as other elements these claims add in combination to their base claim.

5 All of the pending claims, i.e., claims 1-20, are in condition for allowance and such favorable action is earnestly solicited.

If any outstanding issues remain, or if the Examiner has any further suggestions for expediting allowance of this application, the Examiner is invited to contact the undersigned at the telephone number indicated below.

10 The Examiner's attention to this matter is appreciated

Respectfully submitted,



Date: December 18, 2007

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